

REMARKS

Claims 1, 3, 4, 6-9, 11, 12 and 14-17 are pending in this application. By this Amendment, claims 2, 5, 10 and 13 are canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 4, 6-9, 12, 15 and 17 are amended. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

I. Interview Summary

Applicants request a copy of the Examiner's summary of the interview conducted on June 1, 2005. As discussed during the interview, a copy of the Interview Summary was to be forwarded to Applicants' representative. To date, the Interview Summary has not been received.

During the interview, Applicant's representative and the Examiner clarified their respective positions. However, the amendments presented herein obviate portions of the discussion as they are now moot.

II. Allowable Subject Matter

The indication of allowable subject matter in claims 2, 5, 10 and 13 is appreciated, they being allowable if rewritten in independent form to include all of the features of their base claim and any intervening claims. As the subject matter of the allowable claims has been incorporated into the pending independent claims, all pending claims are in condition for allowance.

III. Claim Rejections Under 35 U.S.C. §103

Claims 1, 3, 4, 6-9, 11, 12 and 14-17 are rejected under 35 U.S.C. §103(a) as unpatentable over Applicants' admitted prior art in view of U.S. Patent No. 6,169,889 to Servilio et al. (Servilio).

As the rejected claims are amended to recite allowable subject matter, neither Applicants' admitted prior art or Servilio, whether considered alone or in combination, disclose each and every feature recited in the rejected claims. Accordingly, withdrawal of the rejection of claims 1, 3, 4, 6-9, 11, 12 and 14-17 under 35 U.S.C. §103(a) is respectfully requested.

IV. Response to Arguments

In the Response to Arguments section of the outstanding Office Action, at section 14, it is alleged that "Applicant fails to address which element or feature is not disclosed by the combination of references." Applicants refer the Examiner to page 3, line 24 - page 4, line 4, of the February 18, 2005 Request for Reconsideration which states that "the combination of references fails to disclose or suggest a data transfer timing signal output device that outputs a random timing signal for the data transfer, by changing a frequency of the timing signal randomly for each of the plurality of signal lines without becoming a specific cycle, so as to delimit an energy density of the plurality of signal lines, as recited in rejected claim 1." Thus, Applicant specifically addressed the element and features not disclosed by the combination of references contrary to the allegation set forth in the outstanding Office Action.

Additionally, the Response to Arguments section only responds to the premise in the February 18 Request for Reconsideration that the Office Action failed to meet the first criteria of the Graham factors necessary when setting forth in a rejection of claims for obviousness. Specifically, the Office Action only responds to the allegation of lack of motivation to combine the references. However, the Office Action conspicuously fails to respond to the

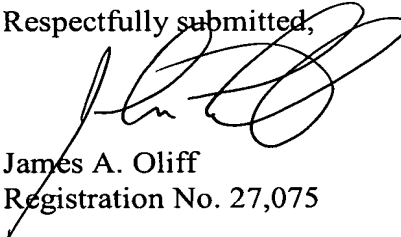
premise that the previous Office Action failed to meet either the second or third factors in the Graham analysis, i.e., a reasonable expectation of success, or the failure of the combination of references to teach or suggest all of the claim features.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 4, 6-9, 11, 12 and 14-17 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JWF/ldg

Attachment:

Petition for Extension of Time

Date: October 3, 2005

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